

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of ) **MAIL STOP ISSUE FEE**  
Janusz Sadowski )  
Application No.: 10/579,774 ) Group Art Unit: 2877  
Filed: May 21, 2007 ) Examiner: Tri T. Ton  
For: METHOD AND DEVICE FOR ) Confirmation No.: 5702  
CARRYING OUT SURFACE PLASMON )  
RESONANCE MEASUREMENT )

**REQUEST TO COMPLETE NOTICE OF ALLOWANCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reviewing the application identified above upon allowance, the undersigned has noted that the Second Information Disclosure Statement (IDS) filed on August 13, 2009 has been only partially considered. Applicants previously requested full consideration of the Second IDS in the Amendment filed on November 2, 2009. However, the Notice of Allowance did not include an initialed copy of the Form PTO-1449 submitted with the Second IDS to indicate further consideration of the Second IDS.

As correctly noted in item 3 on page 3 of the Office Action dated August 31, 2009, the Second IDS complies with the provisions of 37 C.F.R. 1.97. For instance, an English-language abstract of JP 8193946 was submitted with the Second IDS, and an English-language translation of the Japanese Office Action was submitted with the Second IDS, to provide a concise explanation of the relevance of these documents in full compliance with 37 C.F.R. 1.98(a)(3)(i) (see MPEP 609.04(a)(III)).

However, JP 8193946 and the Japanese Office Action were improperly lined through on the Form PTO-1449 to indicate that these documents were not considered, despite the provision of a concise explanation of the relevance of these documents in compliance with 37 C.F.R. 1.98(a)(3)(i).

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Accordingly, Applicant respectfully requests that JP 8193946 and the Japanese Office Action be considered, since a concise explanation of the relevance of these documents was provided in full compliance with 37 C.F.R. 1.98(a)(3)(i), and that an Examiner-initialed copy of the Form PTO-1449 be returned to Applicant to indicate consideration of these documents.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

Date: January 7, 2010

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